

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S)	
REQUEST FOR CONFIDENTIAL TREATMENT)	CASE NO. 97-041
OF INFORMATION FILED IN SUPPORT OF ITS)	
ENHANCED CALLER ID SERVICE)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed January 29, 1997, for confidential protection of the cost information filed in support of its proposed Enhanced Caller ID tariff on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth has filed revisions to its tariff which introduce a new TouchStar® Service called Enhanced Caller ID ("ECID"). This service offers business customers new options for customer control of their service and is similar to Call Waiting Deluxe, a service for residential customers. The service is targeted primarily to small business customers who rely on inbound telephone calls to generate new sales and to provide customer service. In support of the revisions to the tariff, BellSouth has filed cost information which it seeks to protect as confidential.

The information sought to be protected is not known outside of BellSouth and is not disseminated within BellSouth except to those employees who have a business need to

know and act upon the information. BellSouth seeks to preserve and protect the confidentiality of the information through all appropriate means.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

BellSouth faces competition in the local exchange market from other telecommunication companies who could choose to offer similar functionality either in accommodation with their local service offering, or as a separate service. Such competitors could use the information in formulating strategic plans for entry, pricing, marketing and overall business strategies concerning this service. Therefore, disclosure of the information is likely to cause BellSouth competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,


IT IS ORDERED that the cost information filed in support of BellSouth's tariff revisions introducing Enhanced Caller ID, which BellSouth has petitioned to be withheld


from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 11th day of March, 1997.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director